

GARMAN TURNER GORDON LLP  
GREGORY E. GARMAN  
Nevada Bar No. 6654  
E-mail: ggarman@gtg.legal  
WILLIAM M. NOALL  
Nevada Bar No. 3549  
Email: wnoall@gtg.legal  
MARK M. WEISENMILLER  
Nevada Bar No. 12128  
Email: mweisenmiller@gtg.legal  
7251 Amigo Street, Suite 210  
Las Vegas, Nevada 89119  
Tel: (725) 777-3000  
Fax: (725) 777-3112  
*Attorneys for Empery Tax Efficient, LP as  
Agent and Collateral Agent for certain  
Noteholders*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:	Case No. 22-14422-nmc
MUSCLEPHARM CORPORATION,	Chapter 11 __
Debtor.	Date: January 13, 2023 Time: 9:30 a.m.

**DECLARATION OF MARK M. WEISENMILLER IN SUPPORT OF JOINDER TO  
EMERGENCY MOTION FOR ENTRY OF INTERIM AND FINAL ORDERS: (I)  
AUTHORIZING DEBTOR TO OBTAIN POST-PETITION FINANCING,  
(II) GRANTING PRIMING LIENS AND ADMINISTRATIVE EXPENSE CLAIMS,  
(III) AUTHORIZING THE DEBTOR'S USE OF CASH COLLATERAL,  
(IV) MODIFYING THE AUTOMATIC STAY, AND (V) GRANTING RELATED RELIEF**

I, Mark M. Weisenmiller, make this Declaration under 28 U.S.C. § 1746 and declare as follows:

1. I am over the age of eighteen (18) years and competent to testify to the matters asserted herein.

2. I am an attorney at Garman Turner Gordon LLP ("GTG"), counsel for Empery Tax Efficient, LP, in its capacity as collateral agent (in such capacity, "Empery") with respect to the *Original Issue Discount Senior Secured Notes dated as of October 13, 2021* (as amended, restated, supplemented or otherwise modified from time to time, the "October Notes") and *Original Issue Discount Senior Secured Notes dated as of June 10, 2022* (as amended, restated, supplemented or

1 otherwise modified from time to time, the “June Notes” and, together with the October Notes, the  
2 “Notes”) in each case issued by MusclePharm Corporation, a Nevada corporation (the “Debtor”) in  
3 the above-captioned Chapter 11 case (the “Chapter 11 Case”). As such, I have personal knowledge  
4 of the facts stated in this Declaration, except where stated upon information and belief, and as to  
5 facts stated upon information and belief, I am informed of those facts and believe them to be true.  
6 If called upon to testify as to the matters herein, I could and would do so.

7 3. I submit this Declaration for all permissible purposes under the Federal Rules of  
8 Civil Procedure and Rules of Evidence in support of the Empery’s *Joinder to Emergency Motion*  
9 *for Entry of Interim and Final Orders: (i) Authorizing Debtor to Obtain Post-Petition Financing,*  
10 *(ii) Granting Priming Lines and Administrative Expense Claims, (iii) Authorizing the Debtor’s use*  
11 *of Cash Collateral, (iv) Modifying the Automatic Stay, and (v) Granted Related Relief (“Joinder”).*

12 4. Attached hereto as **Exhibit 1** is a true and correct copy of White Winston Select  
13 Asset Fund Series Fund MP-18, LLC’s Schedule 13D.

14 5. Attached hereto as **Exhibit 2** is a true and correct copy of correspondence addressed  
15 to counsel for Ryan Drexler, dated January 12, 2023.

16 I declare under penalty of perjury under the laws of the United States of America that the  
17 foregoing is true and correct.

18 Executed this 12th day of January 2023.

19 /s/ Mark M. Weisenmiller  
20 MARK M. WEISENMILLER  
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